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CC: 96-45

~~FEDERAL COMMUNICATIONS COMMISSION~~
~~OFFICE OF THE SECRETARY~~

December 16, 2002

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capital Heights, MD 20743

*Michelle L. Chemotti
The Thomas Group
217 Montgomery Street
6th Floor
Syracuse, New York 13202
Phone (315) 426-8445
Fax (315) 426-8348
mlc@thethomasgroup.com
www.TheThoinus(irp.com)*

Re: Letter of Appeal
Case #136323
471 Application# 265168
Billed Entity # 124758
FRN #691290
CC Docket No. 96-45
CC Docket No. 97-21

To Whom It May Concern:

During the application process for E-rate Program Year IV (Funding Year 2001) Thomas Communications & Technologies, LLC (TC&T) applied on behalf of Broome-Tioga BOCES for funding for their telecommunications services with Time Warner. The FRN for these services was not funded because the vendor, Time Warner, admittedly provided TC&T with the wrong SPIN number.

On September 5, 2001, TC&T appealed this decision by sending a letter of appeal to the SLD. To this date we have not received written correspondence from the SLD, but on October 7, 2002, in a phone call with Helen Gayles, from the SLD, we were given case #136323 and we were told the appeal had been denied. She then proceeded to tell us it was because the appeal letter looked like a SPIN change request and did not follow the guidelines for an appeal.

Because, the FRN was denied for incorrect SPIN, of course the appeal letter would reference the SPIN number repeatedly and request the SPIN also be changed as well as the denied funding decision approved. However, since SPIN changes are not normally done for denied FRN's, and the letter clearly identifies the denied FRN as a SPIN problem, this FRN should be approved as Time Warner, SPIN #143000029.

Sincerely,

Thomas Communications & Technologies, LLC

Michelle L. Chemotti
Manager of E-rate Services

MLC/amz
Enclosure

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List ABCDE

From: Alveda Zahn
To:
cc:
Subject: Letter of Appeal

Attached is a letter of appeal for:

Case #163323
471 Application #265168
Billed Entity #124758
FRN #691290
CC Docket No. 96-45
CC Docket No. 97-21

Contact Information:

Michelle L. Chemotti
Thomas Communications & Technologies
217 Montgomery Street, 6th Floor
Syracuse, NY 13202
315-426-8445-phone
315-426-8348-fax

I have also sent, via UPS, an originally signed copy and back-up documentation, which should arrive at your address by Monday December 9, 2002.

Sincerely:

Alveda M. Zahn
Project Manager
Thomas Communications & Technologies, LLC
315-426-8445 ph
315-426-8348 fax

From: Alveda Zahn
To: CCB CCBSecretary
Date: 12/6/024:59PM
Subject: Correction on previous Letter of Appeal

The case number should read as follows:
Case #136323

Thank you.

Sincerely:
Alveda M. Zahn
Project Manager
Thomas Communications & Technologies, LLC
315-426-8445 ph
315-426-8348 fax